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REMARKS

Favorable reconsideration of this application is requested in view of the above amendments and the following remarks. Claims 1, 10 and 19 have been editorially revised. Claim 21 has been added. Support for the editorial revisions can be found in the specification on lines 1-17 on page 6 and Figures 5-6, among other places.

Claims 1-21 are pending in this application.

Claim Rejections – 35 USC §102

Claims 1, 2, 6, 10, 11 and 15 are rejected as anticipated by Teruaki (JP 60-176873). Applicant respectfully traverses this rejection.

Claims 1 and 10 each require that an elastic tip portion of the holding member is extended to a position separate from the front fender mounting portion and is disposed against a reverse surface of the front fender to support the reverse surface of the front fender. The tip portion of the holding member (Fig. 7, item 11) disclosed by Teruaki is not disposed against a reverse surface of the front fender, but instead is disposed between the front fender mounting portion and the front fender. Further, the holding member 11 disclosed by Teruaki does not provide the required elastic portion of claims 1 and 10. For at least these reasons, claims 1 and 10 are patentable over Teruaki. Claims 2 and 6 are also patentable over Teruaki since they depend ultimately from claim 1. Claims 11 and 15 are patentable over Teruaki since they depend ultimately from claim 10.

Claims 1, 3, 4, 5, 10, 12, 13, 14, 19 and 20 are rejected under 35 USC 102(b) based upon a public use or sale of the invention. A 1985 YAMAHA V-MAX motorcycle, on sale more than one year prior to the filing of the instant application.

Applicant respectfully traverses this rejection. Claims 1, 3, 4, 5, 10, 12-14, and 19-20 are patentable for at least the same reasons discussed above regarding claims 1, 2, 6, 10-11 and 15. The collar 2 disclosed in the 1985 YAMAHA V-MAX parts catalog does not remedy the deficiencies of Teruaki.

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Claim Rejections – 35 USC §103

Claims 4, 5, 7, 13-14 and 16 are rejected under 35 USC 103(a) as unpatentable over Teruaki (JP 60-176873) in view of Saiki et al. (US 6,557,876). Applicant respectfully traverses this rejection.

Neither Teruaki nor Saiki et al. teach or suggest that an elastic tip portion of the holding member is extended to a position separate from the front fender mounting portion and is disposed against a reverse surface of the front fender to support the reverse surface of the front fender. The rubber mount 25 disclosed by Saiki et al. does not remedy the deficiencies of Teruaki, especially since Saiki et al. does not disclose a holding member. Saiki et al. therefore does not provide the elastic portion of the holding member required by claims 1 and 10. For at least these reasons, claims 4-5, 7, 13-14 and 16 are patentable over the cited references, taken alone or in combination.

Claims 8 and 17 are rejected under 35 USC 103(a) as unpatentable over Teruaki (JP 60-176873) in view of Tsuyama (US Design Patent No. 328,441). Applicant respectfully traverses this rejection for the same reasons discussed above regarding claims 4-5, 7, 13-14 and 16.

Tsuyama does not remedy the deficiencies of Teruaki. For at least these reasons, claims 8 and 17 are patentable over the cited references, taken alone or in combination.

Claims 9 and 18 are rejected under 35 USC 103(a) as being unpatentable over Teruaki (JP 60-176873) in view of Tsuyama (US Design Patent No. 328,441) and further in view of Toshiyuki (JP 62-101592). Applicant respectfully traverses this rejection for the same reasons discussed above regarding claims 4-5, 7, 13-14 and 16.

Toshiyuki does not remedy the deficiencies of Teruaki taken alone or in combination with Tsuyama. For at least these reasons, claim 9 and 18 are patentable over the cited references, taken alone or in combination.

Claim 20 is rejected under 35 USC 103(a) as being unpatentable over Yuichi (JP 07-117756) in view of Saiki et al. (US 6,557,876). Applicant respectfully traverses this rejection for the same reasons discussed above regarding claims 4-5, 7, 13-14 and 16.

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Neither Yuichi nor Saiki et al. teaches or suggests that an elastic tip portion of the holding member is extended to a position separate from the front fender mounting portion and is disposed against a reverse surface of the front fender to support the reverse surface of the front fender. For at least these reasons, claim 20 is patentable over the cited art, taken alone or in combination.

New claim 21 is also patentable over the cited art, taken alone or in combination, for the same reasons discussed above regarding claim 1, and since claim 21 depends directly from parent claim 1. Further, none of the cited references, alone or in combination, disclose or suggest an elastic portion in a holding member. The claimed invention advantageously provides an elastic portion in a holding member itself so that a load applied to a front fender can be further absorbed, and the front fender can be provided with rigidity via the holding member.

In view of the above, early issuance of a notice of allowance is solicited. Any questions regarding this communication can be directed to the undersigned attorney, Curtis B. Hamre, Reg. 29,165, at (612)455-3802.



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Respectfully submitted,

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By:

A handwritten signature in cursive script that reads 'Curtis B. Hamre'.

Curtis B. Hamre
Reg. No. 29,165
CBH/lad